

**ASSEMBLY BILL**

**No. 2381**

**Introduced by Assembly Member Dymally**

February 23, 2006

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An act to amend Section 94999 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2381, as introduced, Dymally. Private postsecondary education: Private Postsecondary and Vocational Education Reform Act of 1989.

(1) Existing law, known as the Private Postsecondary and Vocational Education Reform Act of 1989, generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, as defined. The act establishes the Bureau for Private Postsecondary and Vocational Education, which, among other things, is required to review and investigate all institutions, programs, and courses of instruction approved under the act. A provision of the act provides for it to become inoperative on July 1, 2007, and provides for its repeal on January 1, 2008.

The existing act establishes the Private Postsecondary and Vocational Education Administration Fund and the continuously appropriated Student Tuition Recovery Fund. The existing act specifies that certain violations of its provisions are subject to civil penalties and that certain willful violations of the act are punishable as crimes.

This bill would delete the provision that requires that the act become inoperative on July 1, 2007, and be repealed on January 1, 2008, and instead require that the act be repealed on January 1, 2010, thus

extending operation of the act by 2 years and 6 months, and thereby making an appropriation by extending the existence of the continuously appropriated Student Tuition Recovery Fund. By extending the operation of the provisions of the act that establish crimes, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 94999 of the Education Code is  
2 amended to read:  
3 94999. This chapter shall ~~become inoperative on July 1,~~  
4 ~~2007, and, as of remain in effect only until January 1, 2008 2010,~~  
5 ~~and as of that date~~ is repealed, unless a later enacted statute, that  
6 ~~becomes operative on or is enacted before January 1, 2008 2010,~~  
7 ~~deletes or extends the dates on which it becomes inoperative and~~  
8 ~~is repealed that date.~~  
9 SEC. 2. No reimbursement is required by this act pursuant to  
10 Section 6 of Article XIII B of the California Constitution because  
11 the only costs that may be incurred by a local agency or school  
12 district will be incurred because this act creates a new crime or  
13 infraction, eliminates a crime or infraction, or changes the  
14 penalty for a crime or infraction, within the meaning of Section  
15 17556 of the Government Code, or changes the definition of a  
16 crime within the meaning of Section 6 of Article XIII B of the  
17 California Constitution.